

ASSEMBLY BILL

No. 406

Introduced by Assembly Member Knox

February 12, 1999

An act to amend Section 89036 of the Education Code, relating to postsecondary education.

LEGISLATIVE COUNSEL'S DIGEST

AB 406, as introduced, Knox. California State University: contracts.

Existing law authorizes the Trustees of the California State University to enter into agreements with public or private agencies, persons, institutions, corporations, associations, or foundations for the performance of acts or for the furnishing of services, facilities, materials, or equipment by, or for, the trustees or for the joint performance of an act or function or the joint furnishing of services and facilities by the trustees and the other party to the agreement.

This bill would prohibit agreements for personal services from causing the displacement, as defined, of California State University employees. The bill also would make other technical changes.

Vote: majority. Appropriation: no. Fiscal committee: yes. State-mandated local program: no.

The people of the State of California do enact as follows:

1 SECTION 1. Section 89036 of the Education Code is
2 amended to read:

1 89036. (a) The trustees may enter into agreements
2 with any public or private agency, officer, person, or
3 institution, corporation, association, or foundation for the
4 performance of acts or for the furnishing of services,
5 facilities, materials, or equipment by or for the trustees or
6 for the joint performance of an act or function or the joint
7 furnishing of services and facilities by the trustees and the
8 other party to the agreement. *Agreements for personal*
9 *services shall not cause the displacement of the California*
10 *State University employees. "Displacement" includes*
11 *layoff, demotion, involuntary transfer to a new class,*
12 *involuntary transfer to a new location requiring a change*
13 *of residence, and time base reductions. "Displacement"*
14 *does not include changes in shifts, days off, or*
15 *reassignment to other positions within the same class and*
16 *general location.*

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18 (b) The trustees may enter into agreements with the
19 federal government or any agency thereof in accordance
20 with the procedures prescribed by the federal
21 government or agency in order to receive the benefits of
22 any federal statute extending benefits to the California
23 State University or to the California State University
24 students, including, but not limited to *the following*:

25 (1) Agreements with any agency of the federal
26 government for the education of persons in the service of
27 the federal government.

28 (2) Agreements with any agency of the federal
29 government for the education of veterans. These
30 agreements shall provide for payment of the maximum
31 amount permitted under the act, or acts, of Congress
32 under which the agreement is entered into.

33 Notwithstanding any other law, the trustees ~~have all~~
34 ~~power necessary to~~ may perform ~~such~~ those acts and
35 comply with conditions required or imposed by the
36 federal government in order to receive the benefits. The
37 trustees ~~are vested with all necessary power and authority~~
38 ~~to~~ may cooperate with any ~~such~~ agency of the federal
39 government in the administration of any applicable act of
40 Congress and rules and regulations adopted thereunder.

1 ~~(b)~~—
2 (c) Notwithstanding any other law, the trustees have
3 ~~all power necessary to~~ *may* award contracts to one or
4 more contractors, at any one or more campuses, for the
5 collection of delinquent education loans required to be
6 repaid under federal law.

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